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10 MOTOWN RECORD COMPANY, L.P., and UMG
RECORDINGS, INC.

11
12 UNITED STATES DISTRICT COURT
13 CENTRAL DISTRICT OF CALIFORNIA
14 WESTERN DIVISION

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16 INTERSCOPE RECORDS, MOTOWN
RECORD COMPANY, L.P. and UMG
17 RECORDINGS, INC.,

18 Plaintiffs,

19 v.

20 TIME WARNER, INC., WARNER
BROS. ENTERTAINMENT, INC.,
21 WARNER BROS. DOMESTIC
TELEVISION DISTRIBUTION, INC.,
22 WARNER BROS. TELEVISION,
TELEPICTURES PRODUCTIONS,
23 INC., WAD PRODUCTIONS, INC.
(d/b/a "THE ELLEN DeGENERES
24 SHOW"), A VERY GOOD
PRODUCTION, and CRAZY
25 MONKEY, INC. (d/b/a A VERY GOOD
PRODUCTION),

26
27 Defendants.
28

CASE NO. CV10-1662 SVW (PJWx)

Hon. Stephen V. Wilson

**PLAINTIFFS' SUPPLEMENTAL
BRIEF AND NOTICE OF
WITHDRAWAL OF PORTIONS OF
MOTION FOR SANCTIONS AND TO
COMPEL**

Date: September 20, 2010
Time: 2:00 p.m.
Courtroom: 827A
Judge: Hon. Patrick J. Walsh

1 Plaintiffs agree with Defendants that the parties have entered into an arbitration
2 agreement pursuant to which both sides have agreed to relieve the other of any
3 ongoing discovery obligations, as there will be no further discovery in connection
4 with the arbitration. Plaintiffs further agree that the parties are discussing how best to
5 address Judge Wilson's concerns.

6 In light of the parties' agreement, Plaintiffs hereby withdraw all portions of
7 their Motion for Spoliation Sanctions¹ and to Compel Further Responses to
8 Interrogatories, Requests For Admission and Requests For Production (Docket No.
9 158) upon which the Magistrate Judge has not already ruled. Thus, there is nothing
10 further for this Court to rule upon in connection with this Motion, including any of
11 the issues which are addressed by Defendants' supplemental brief.

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13 Dated: September 14, 2010 JEFFREY D. GOLDMAN
14 RYAN S. MAUCK
15 BRIAN M. YATES
16 JEFFER MANGELS BUTLER & MITCHELL LLP

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18 By: /s/ Ryan S. Mauck

19 Ryan S. Mauck
20 Attorneys for Plaintiffs
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24 ¹ Plaintiffs note that Defendants' description of Plaintiffs' request for discovery
25 sanctions as one relating to "an evidentiary rather than a discovery issue" (Defs.
26 Supplemental Brief at 1) is curious, as Defendants did not raise any objection to
27 Plaintiffs' inclusion of this issue in what was clearly designated as a discovery motion
28 and brought before the Magistrate Judge. As evidentiary issues are to be determined
by the District Judge, in the event that this action is not dismissed, Plaintiffs will raise
this issue with the District Judge at the appropriate time as necessary.